

Appln No. 10/662,595
Amdt date February 17, 2006
Reply to Office action of November 17, 2005

REMARKS/ARGUMENTS

This amendment/response is submitted in response to the Office action mailed November 17, 2005. Claims 1-8, 10-16, 18, 21-25, and 27-28 are in the application, of which claims 1, 15, 18, 21, and 28 are independent. Claims 1, 15, 18, and 21 have been amended. Claims 9, 17, 19, 20 and 26 have been cancelled without prejudice. New claim 28 has been added. Applicants thank the Examiner for the thorough review of the application, and also for indicating that claims 4-6, 9, 14, 17, 20, 26 and 27 include allowable subject matter. Applicants respectfully request reconsideration and allowance of claims 1-3, 7, 8, 10-13, 15, 16, 18, 19 and 21-25 in addition to allowing claims 4-6, 9, 14, 17, 20, 26 and 27 that were previously indicated as allowable. Applicants further request consideration on the merits and allowance of newly added claim 28.

Allowable Subject Matter

The Examiner has indicated that claims 4-6, 9, 14, 17, 20, 26 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9, 17, 20 and 26 are canceled herein, and their objection is now moot. Claims 4-6, 14 and 27 should now be allowed since their respective base claims, namely, claims 1 and 21 are now allowable.

Rejection under 35 U.S.C. § 103

On Pages 2-4 of the Office action, claims 1-3, 7-8, 10-13, 15-16, 18-19, and 21-25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Arima et al. (U.S. Patent Application Pub. 2004/0042754 A1).

Claim 1 of the instant application has been amended herein to recite "wherein said diffusion retarding plate is formed of ceramic or metal," and substantially incorporates all the terms and limitations of claim 9, which is canceled herein. Here, the term in claim 9 of "one of ceramic and metal" has been slightly altered in a manner not related to patentability to "ceramic or metal." Claim 9 was previously objected to as being dependent upon a rejected base claim,

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but would have been allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Since claim 1 now incorporates all the terms and limitations of the canceled claim 9, claim 1 is patentably distinguishable over the cited references. Therefore, Applicants request that the rejection of claim 1 be withdrawn and that it be allowed.

Dependent claims 2-3, 7-8 and 10-13 depend from claim 1 and therefore they each incorporate all the terms and limitations of claim 1 and additional limitations therein, which together further patentably distinguish them over the cited references. Therefore, Applicants request that the rejection of claims 2-3, 7-8 and 10-13 be withdrawn and that they be allowed.

Claim 15 of the instant application has been amended herein to recite "said diffusion retarding plate including legs that laterally bound said epoxy," and incorporates all the terms and limitations of the claim 17 (as originally filed), which is canceled herein. Claim 17 (as originally filed) was previously objected to in the May 19, 2005 Office Action as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Since claim 15 now incorporates all the terms and limitations of the canceled claim 17 (as originally filed), claim 15 is patentably distinguishable over the cited references. Therefore, Applicants request that the rejection of claim 15 be withdrawn and that it be allowed.

Dependent claim 16 depends from claim 15 and therefore incorporates all the terms and limitations of claim 15 and additional limitations therein, which together further patentably distinguish it over the cited references. Therefore, Applicants request that the rejection of claim 16 be withdrawn and that it be allowed.

Claim 18 of the instant application has been amended herein to recite "wherein said moisture resistant member comprises a cover that substantially directly surrounds said epoxy superjacently and laterally" and incorporates all the terms and limitations of the claim 20 (as originally filed), which is canceled herein. Claim 20 (as originally filed) was previously objected to in the May 19, 2005 Office Action as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base

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claim and any intervening claims. Since claim 18 now incorporates all the terms and limitations of the canceled claim 20 (as originally filed), claim 18 is patentably distinguishable over the cited references. Therefore, Applicants request that the rejection of claim 18 be withdrawn and that it be allowed.

Claim 21 of the instant application has been amended to recite "wherein said diffusion retarding plate further includes legs and said covering includes positioning said legs to bound opposed sides of said epoxy," and incorporates all the terms and limitations of claim 26, which is canceled herein. Claim 26 was previously objected to as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Since claim 21 now incorporates all the terms and limitations of the canceled claim 26, claim 21 is patentably distinguishable over the cited references. Therefore, Applicants request that the rejection of claim 21 be withdrawn and that it be allowed.

Dependent claims 22-25 each depend from claim 21 and therefore incorporate all the terms and limitations of claim 21 and additional limitations therein, which together further patentably distinguish them over the cited references. Therefore, Applicants request that the rejection of claims 22-25 be withdrawn and that they be allowed.

New Claim 28


Newly added claim 28 recites "in which said optical fiber is disposed on said substrate surface." On the other hand, Arima et al. discloses: "an additional adhesive layer 36 is formed on the second resin sheet 34 and that an additional optical fiber 38 is wired on the adhesive layer 36" (Paragraph [0038], FIG. 7A) and "a third resin sheet 41 is attached through the adhesive layer 36 to the second resin sheet 34 so that the optical fiber 38 is sandwiched between the second and third resin sheets 34 and 41" (Paragraph [0039]). As such, Arima et al. does not teach or suggest the optical fiber being "disposed on said substrate surface," as recited by claim 28. Therefore, Applicants request that claim 28 be allowed.

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Concluding Remarks

Based on the foregoing arguments and remarks, it is submitted that the instant application is in condition for allowance. Applicants hereby respectfully request an early issuance of a patent with claims 1-8, 10-16, 18, 21-25, and 27-28. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicants' attorney at the number listed below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Jun-Young E. Jeon
Reg. No. 43,693
626/795-9900

JEJ/rtj

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